

PIG'S EYE LANDFILL
RECORDS COMPILATIONS
SOO LINE RAILROAD

US EPA RECORDS CENTER REGION 5



557225

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
01683	01/03/91	GRACE KOH ANGELOS, JENNER & BLOCK	CATHY O'CONNELL, MPCA	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	AN ATTORNEY'S RESPONSE FOR CMCREL, WHO IS NO LONGER IN EXISTENCE, DUE TO BANKRUPTCY, ITS ASSETS WERE SOLD TO A SUBSIDIARY OF THE "SOO LINE." UNDER REORGANIZATION THE BANKRUPTCY WAS DISCHARGED AND REMAINING ASSETS HELD BY THE BANKRUPTCY TRUSTEE WERE CONVEYED TO CMCREL, THE REORGANIZED COMPANY, INCLUDING A 177 ACRE-PARCEL WHICH, ALONG WITH ADJOINING PROPERTY OWNED BY COSTPA COMPRISES PIG'S EYE. CMCREL WAS DISSOLVED ON 12/11/89 AND ALL OF CMCREL'S REAL ESTATE ASSETS AND LIABILITIES WERE TRANSFERRED TO CMC HEARTLAND PARTNERS.	CMCREL, SOOLIN
01906	01/09/91	MPCA	SOOLIN	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES SOOLIN TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP.	SOOLIN
01961	01/25/91	GLEN OLANDER, SOOLIN	CATHY O'CONNELL, MPCA	LETTER CONFIRMING AN EXTENSION	A LETER WHICH REFERS TO A 01/10/91 LETTER, AND STATES IT HAS BEEN REFERRED TO THE AUTHOR. THIS DOCUMENT CONFIRMS A PHONE CONVERSATION THAT EXTENDS RESPONSE DATE TO 03/01/91.	SOOLIN
01963	01/30/91	MPCA	GLENN OLANDER, SOOLIN, QUAMME	LETTER REGARDING SOOLIN'S RESPONSE	A LETTER WHICH IS IN RESPONSE TO A PHONE CONVERSATION THAT CONFIRMS AN EXTENSION FOR SOOLIN'S RESPONSE UNTIL 03/01/91. THE DOCUMENT STATES A LIST OF REFUSE HAULERS IS ATTACHED; HOWEVER, IT IS NOT INCLUDED WITH THE DOCUMENT.	SOOLIN

PIG'S EYE LANDFILL
RECORDS COMPILATIONS
SOO LINE RAILROAD

DCN	DATE	AUTHOR	RECIPIENT	TITLE	SUMMARY	PRPS
02046	02/11/91	MPCA	GLENN OLANDER, QUAMME, SOOLIN	MPCA INFORMATION REQUEST LETTER REGARDING PIG'S EYE	A MPCA INFORMATION REQUEST LETTER WHICH REQUIRES SOOLIN TO PROVIDE INFORMATION REGARDING PIG'S EYE AND FISH HATCHERY'S DUMP TO MPCA.	SOOLIN
02079	03/12/91	SOOLIN	CATHY O'CONNELL, MPCA	SOOLIN'S INFORMATION REQUEST RESPONSE	THE SOOLIN RESPONSE TO MPCA'S INFORMATION REQUEST.	SOOLIN
02092	03/22/91	GLEN OLANDER, QUAMME, SOOLIN	CATHY O'CONNELL, MPCA	SOOLIN'S EXTENSION REQUEST	A SOOLIN REQUEST TO EXTEND THE DEADLINE FOR RESPONDING TO MPCA'S INFORMATION REQUEST CONCERNING THE SOOLIN'S FORMER MILWAUKEE RAILROAD FACILITIES.	SOOLIN
02102	03/28/91	SOOLIN	CATHY O'CONNELL, MPCA	SOOLIN'S INFORMATION REQUEST RESPONSE	SOOLIN'S RESPONSE TO MPCA'S REGARDING PIG'S EYE. SOOLIN STATES THAT THE RESPONSE IS LIMITED TO INFORMATION SOLELY ABOUT CMSPRC.	SOOLIN, CMSPRC

LAW OFFICES

JENNER & BLOCK

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ONE IBM PLAZA
CHICAGO, ILLINOIS 60611(312) 222-9350
(312) 527-0484 FAXWASHINGTON OFFICE
21 DUPONT CIRCLE, N.W.
WASHINGTON, D.C. 20036
(202) 223-4400
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ONE WESTMINSTER PLACE
LAKE FOREST, IL 60045
(708) 295-9200
(708) 295-7810 FAXMIAMI OFFICE
ONE BISCAYNE TOWER
MIAMI, FL 33131
(305) 530-3535
(305) 530-0008 FAX

GRACE KOH ANGELOS

January 3, 1991

BY FEDERAL EXPRESS

Ms. Cathy O'Connell
Project Manager
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155

RECEIVED

JAN 04 91

MPCA, Ground Water
& Solid Waste Div.

Re: Requirement to Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

Dear Ms. O'Connell:

Jenner & Block represents CMC Heartland Partners ("Heartland"). Heartland received your letter dated November 30, 1990, in which you indicated that the Minnesota Pollution Control Agency ("MPCA") had not received a response to its Requirement to Provide Information ("RPI") dated August 10, 1990 from the Chicago, Milwaukee, St. Paul & Pacific Railroad Company ("Milwaukee Road"). Although Heartland received your letter of November 30, 1990 and the RPI addressed to CMC Real Estate Corporation ("CMC Real Estate"), Heartland had not received the RPI addressed to the Milwaukee Road. Consequently, Heartland was unaware that an additional response was required of the Milwaukee Road.

Subsequent to Heartland's receipt of your letter dated November 30, 1990, we contacted you to obtain a copy of the RPI. We received a copy of the RPI on December 13, 1990. As explained more fully below, the Milwaukee Road is no longer in existence. This letter will provide you with additional information regarding the Milwaukee Road and the property inquired about in your RPI.

On December 19, 1977, the Milwaukee Road filed its petition for reorganization under Section 77 of the United States Bankruptcy Act of 1898, as amended. As a result of

Ms. Cathy O'Connell
January 3, 1991
Page 2

the petition for reorganization, the assets of the Milwaukee Road were conveyed to a bankruptcy trustee. In February of 1985, pursuant to Order No. 809 of the United States District Court for the Northern District of Illinois, Eastern Division (the "Reorganization Court"), the assets of the Milwaukee Road were partitioned into a rail division and a real estate division. The rail division, which included all of the Milwaukee Road's core rail assets and related liabilities, was sold to a subsidiary of the Soo Line Railroad Company ("Soo Line"). The Milwaukee Road's corporate names and logos and all business records pertaining to railroad operations were also transferred to the Soo Line. Thus, neither the debtor nor its successors have liabilities or obligations relating to the rail activities at the Pig's Eye Dump. See, e.g., Matter of Chicago, Milwaukee, St. Paul & Pacific Railroad Co., 784 F.2d 831 (7th Cir. 1986); Matter of Chicago, Milwaukee, St. Paul & Pacific, 789 F.2d 1281 (7th Cir. 1986). Such liabilities and obligations may be the responsibility of the Soo Line.

On July 12, 1985, five months after the rail assets were sold to the Soo Line, the Reorganization Court entered an order ("Order No. 832") approving and confirming a plan of Reorganization ("Plan") for the debtor. The Reorganization Court established a bar date of January 9, 1980 for pre-petition claims and a bar date of September 10, 1985 for post-petition claims. On or before August 31, 1979, notice of the filing of the creditors list was given to the State of Minnesota. Thereafter, on July 22, 1985, a Notice of Bar Dates for Claims was served on the State of Minnesota. Minnesota brought no claims relating to Pig's Eye Dump before either of the bar dates.

Pursuant to the Final Decree of the Reorganization Court dated November 12, 1985 ("Order No. 866"), the bankruptcy trustee was discharged and the remaining assets held by the bankruptcy trustee were conveyed to CMC Real Estate, the reorganized company. CMC Real Estate was vested with all of the bankruptcy trustee's right, title and interest in the remaining property of the debtor's estate "free and clear of all claims, rights, demands, interests, liens and encumbrances of every kind and character." (See Order No. 866, p. 7.) Among the property vested in CMC Real Estate was the 177-acre parcel (the "Parcel") which, along with the adjoining property owned by the City of St. Paul, comprises Pig's Eye Dump.

CMC Real Estate was dissolved on December 11, 1989, and, through a series of corporate transactions unrelated to the matter raised by the RPI, substantially all of CMC Real

Ms. Cathy O'Connell
January 3, 1991
Page 3

Estate's real estate assets and liabilities pertaining to those assets were transferred to Heartland. Among the assets conveyed to Heartland was the ownership interest in the Parcel. Any and all business records and information which the Milwaukee Road may have had at one time pertaining to the Parcel which were not conveyed to the Soo Line are now in the possession of Heartland. On November 15, 1990, Heartland responded to the RPI addressed to CMC Real Estate. Heartland's response contains answers to the questions asked by the MPCA in the RPI addressed to the Milwaukee Road.

For your convenience we have enclosed copies of Order Nos. 809, 832, 866, the Seventh Circuit decisions referred to above, and the Plan. If we can be of further assistance to the MPCA regarding this matter, please do not hesitate to contact us.

Very truly yours,

Grace Koh Angelos
Grace Koh Angelos

RAILROAD.RES
Enclosures

cc: Lawrence S. Adelson (w/o encls.)
Charles Harrison (w/o encls.)
Jerold S. Solovy (w/o encls.)
Daniel R. Murray (w/o encls.)
Raymond T. Reott (w/o encls.)
Randall E. Mehrberg (w/o encls.)
Rebecca L. Raftery (w/o encls.)



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300



**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

January 10, 1991

Mr. John Bergene
Director of Corporate Communications
Soo Line Building, Room 924
Soo Line Railroad
P.O. Box 530
Minneapolis, Minnesota 55440

Ground Water & Solid Waste Division Site Response Section	
File Name	_____
Sub File Name	_____
Initial	_____

Dear Mr. Bergene:

**RE: Requirement To Provide Information
Pig's Eye Dump/Fish Hatcheries Dump**

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the state's efforts to investigate and remedy hazardous waste sites where contamination threatens the public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they arranged for disposal, or transport for disposal, of hazardous waste at the above-referenced site.

The MPCA staff has reason to believe that Soo Line Railroad is a responsible person under MERLA, and may have information which is relevant to the release or threatened release for the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible persons for the release or threatened release. This is a first Questionnaire in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public

Mr. John Bergene
Page 2
January 10, 1991

health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments and any relevant documents should be mailed to the following address:

Cathy O'Connell
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-3898

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact Cathy O'Connell at (612) 296-7227.

Sincerely,



Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CO:kkn

Enclosures

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO PROVIDE
INFORMATION PURSUANT TO THE
MINNESOTA ENVIRONMENTAL
RESPONSE AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that Soo Line Railroad is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minnesota Statutes, Section 115B.17, subdivision 3 (1990) to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response action are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

The federal Comprehensive Environmental Response and Liability Act, Section 104 (e) (1) and (2) also authorizes the MPCA, pursuant to an existing U.S. EPA - MPCA Cooperative Enforcement Agreement, to require responsible persons to furnish such information.


The MPCA is also authorized by Minnesota Statutes, Section 115B.17, subdivision 4(a) (1990) to examine and copy any books, papers, records, memoranda or data of any person who has a duty to provide information under subd. 3.

In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the state's laws on water and air pollution. Minnesota Statutes, Section 115.03, subdivision 1(h) (1990), Minnesota Statutes, Section 116.07, subdivision 9(c) (1990).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within thirty (30) days from the date of this Requirement To Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the state of Minnesota to compel disclosure.

Date: JAN 10 1991

MINNESOTA POLLUTION CONTROL AGENCY



Gary A. Pulford
Chief, Site Response Section
Ground Water and Solid Waste Division

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump
and
Request for Production of Documents

Part I: ABOUT THE BUSINESS

1. Identify the full legal name of the business.
2. Is the business incorporated?

NOTE: If the answer is YES, answer Questions 3-9 of Part I; If the answer is NO, proceed to Question 9, and answer Questions 9-14 of Part I.

Questions To Be Answered By Corporations:

3. Identify the state or states in which the business is incorporated.
4. When was the business incorporated in each of the above state(s)?
5. Identify the name and address of the corporation's agent for service of process who is registered with the Minnesota Secretary of State.
6. Is the business a public or closely held corporation?
7. Identify the names, current addresses and telephone numbers of all directors and officers of the corporation.
8. If the corporation is closely held, identify the names and current addresses and telephone numbers of all shareholders of the corporation.

Questions To Be Answered By Non-Incorporated Business Entities:

9. Is the business either a legal partnership or sole proprietorship? Please specify.
10. If the answer to Question 9 is LEGAL PARTNERSHIP, is the partnership a general or limited partnership?
11. If the business is not a legal partnership or sole proprietorship, please explain the legal organization of the business (for example, joint venture, syndication).
12. How many years has the business been in operation?
13. Identify the names and current addresses and telephone numbers of all current owner(s) of the business.
14. Identify (a) any changes in owners or partners, specifying past owners or partners and their current addresses and telephone numbers; (b) past and current name(s) of the business; and (c) any changes in the location of the business.

Questions To Be Answered By All Businesses:

15. What is the Standard Industrial classifications (SIC) Code number of the business?
16. Identify the products or services which are produced or offered by the business.
17. Describe the activities and processes used by the business production of its product (i.e., machinery electroplating).
18. Does the business subcontract to any other businesses?
19. If the answer to Question 18 is YES, identify the names and current addresses and telephone numbers of the people with whom the business subcontracts.

Part II: ABOUT THE ENVIRONMENTAL PRACTICES OF THE BUSINESS

1. Identify the department of the business which is responsible for compliance with environmental requirements.
2. Identify all employees who are responsible for implementing the environmental program of the company (include current employee telephone numbers, length of time of job, and current work status with company).
3. Identify all environmental permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
4. Are there any environmental enforcement actions of any kind pending which involve the company?
5. Have there been any environmental enforcement action involving the business since January 1, 1980?
6. If the answer to either Question 4 or 5 is YES, identify the type of enforcement action, the governmental agency involved, and the status or resolution of the matter.
7. Identify all waste which is currently and/or has been generated by the business. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.
8. What was the procedure for cleaning out tank cars? What materials were used and how were the wastes disposed?
9. Did your company have clean out tracks? If yes, what were the wastes produced and how were they disposed?

-3-

10. Did your company use any of the following materials:

degreasers
 mineral spirits
 engine cleaners
 paint thinners
 enamels
 lacquers
 primers
 epoxys
 degreasing solvents
 solvents, such as:

acetone
 toluene
 ketones
 immersion cleaner
 petroleum distillates

methylene chloride
 stoddard solvents
 petroleum naphtha
 freon

oils, such as:

lubricating oil
 gear oil
 transmission fluids
 hydraulic oil
 hydraulic fluid containing PCBs

grease
 transformer fluid
 cutting oil

oil containing or mixed with solvents, if so please indicate the type of solvents

paint removers, specify type

paints containing:

lead	mercury
chromium	arsenic
cadmium	selenium
barium	silver
nickel	

11. Did your company generate the following wastes:

methyl ethyl ketone
 chlorobenzene
 ethyl benzene
 toluene
 benzene
 ethylene dichloride
 paint sludges
 tank car still bottoms
 treated lumber
 railroad ties
 fuel oil

ammonium hydroxide
 hydrobromic acid
 hydrochloric acid
 hydrofluoric acid
 nitric acid
 phosphoric acid
 potassium hydroxide
 sulfuric acid
 chromic acid
 lube oil

12. With respect to each solid or hazardous wastes which was generated by Soo Line Railroad and disposed of at the Pig's Eye Dump/Fish Hatcheries Dump, to the best of your ability please state the following:
 - a. The chemical composition of each waste disposed and the procedure utilized in making the determination;
 - b. List wastes that were mixed together and indicate how they were stored;
 - c. The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year).
13. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.
14. Is the business responsible for the waste generated by its subcontractors?
15. If the answer to Question 14 is YES, identify how the business disposes of its subcontractor's waste. Include an explanation of factors (a) through (f) in Question 7.
16. Identify the manner in which any waste generated by the business (or its subcontractors) was transported. Also list all waste haulers that the company currently uses and has used in the past and provide the dates of use.
17. If the business currently uses or has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known.
18. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
19. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
20. Identify all documents reviewed in the preparation of this document (i.e., manifests, letters, reports, etc.) and either (a) propose all such documents for inspection and copying, or (b) provide copies of such documents.
21. Identify each liability insurance policy held by you or the business during only the period when waste generated by the business was disposed at Pig's Eye Dump. Provide the name and address of each insurer and of the insured,

amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement To Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of the source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that related to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or

Attachment 2 Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. SOO LINE RAILROAD. "Soo Line Railroad" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Soo Line Railroad."

2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement To Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officer, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignment, personnel records, record books,

Soo Line Railroad Company



Soo Line Building
Box 530
Minneapolis, Minnesota 55440
(612) 347-8000
Telecopy (612) 347-8203

COVER PAGE

Telex _____
Telecopy _____
Other _____

Date: 1-25-91
Time: 3:25 p.m.

TO:

Ms. Cathy O'Connell
Project Manager

RECEIVED

JAN 28 91

MPCA, Ground Water
& Solid Waste Div.

FROM:

Glenn Olander-Quamme
Corporate Attorney

COMMENTS:

Page 1 of 2

Telex or Telecopy No.

612-296-9707

Answerback (if telex):

612-347-8203

Soo Line Railroad Company



Soo Line Building
Box 530
Minneapolis, Minnesota 55440

January 25, 1991

GLENN OLANDER - QUAMME
Corporate Attorney
(612) 347-8008
Telecopy (612) 347-8203

VIA FAX

(Original follows by
U.S. mail)
FAX No. (612) 296-9707

Ms. Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-3898

RE: Requirement to Provide Information
Pigs Eye Dump/Fish Hatcheries Dump
Our File: Envtl: Pigs Eye Dump

Dear Ms. O'Connell:

Your letter dated January 10, 1991, to our Mr. John Bergene has been referred to me for response. This letter will confirm our telephone conversation of January 25, 1991, wherein you suggested that I send you a letter requesting that MPCA extend to March 1, 1991, the date for Soo to respond to your Questionnaire and Request for Production of Documents dated January 10, 1991.

In the future, MPCA should direct such questionnaires - - not only on this site but on all sites - - directly to my attention.

I thank you in advance for your courtesy in this matter.

Very truly yours,

cc: R. J. Kale



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300



January 30, 1991

Glenn Olander-Quamme
Soo Line Railroad Company
Soo Line Building
Box 530
Minneapolis, Minnesota 55440

Ground Water & Solid Waste Division	
Site Response Section	
File Name	Pig's Eye
Sub File Name	General Correspondence '91
Initial	W

Dear Mr. Olander-Quamme:

In response to our telephone conversation on January 28, 1991, let me confirm that an extension of Soo Line Railroad's response to the Requirement to Provide Information (RPI) has been granted until March 1, 1991.

Also, in response to your document request, enclosed please find a list of refuse haulers dated October 17, 1970, that was provided in the city of St. Paul's response to their RPI. Please be advised that it is not a complete list of refuse haulers and we may in the future obtain a more complete list. You are welcome to view our files at any time if you seek more complete information.

If I may be of further assistance, please feel free to contact me at (612) 296-2946.

Sincerely,

Cynthia Gaertner
Legal Assistant
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CG:kkn

Enclosure



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300



CERTIFIED MAIL

RETURN RECEIPT REQUESTED

February 11, 1991

Mr. Glenn Olander-Quamme
Soo Line Railroad Company
Soo Line Building
P.O. Box 530
Minneapolis, Minnesota 55440

Dear Mr. Olander-Quamme:

RE: Requirement To Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

Ground Water & Solid Waste Division Site Response Section
File Name _____
Sub File Name _____
Initial _____

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the state's efforts to investigate and remedy hazardous waste sites where contamination threatens the public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they arranged for disposal, or transport for disposal, of hazardous waste at the above-referenced site.

The MPCA staff has reason to believe that Soo Line Railroad, because of actions of its predecessor Chicago, Milwaukee, St. Paul and Pacific Railroad Company, is a responsible person under MERLA, and may have information which is relevant to the release or threatened release for the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible persons for the release or threatened release.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public

Mr. Glenn Olander-Quamme

Page 2

February 11, 1991

health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments and any relevant documents should be mailed to the following address:

Cathy O'Connell
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-3898

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact Cathy O'Connell at (612) 296-7227.

Sincerely,



Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division

CO:kkn

Enclosures

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO PROVIDE
INFORMATION PURSUANT TO THE
MINNESOTA ENVIRONMENTAL
RESPONSE AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that Soo Line Railroad is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minnesota Statutes, Section 115B.17, subdivision 3 (1990) to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response action are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

The federal Comprehensive Environmental Response and Liability Act, Section 104 (e) (1) and (2) also authorizes the MPCA, pursuant to an existing U.S. EPA - MPCA Cooperative Enforcement Agreement, to require responsible persons to furnish such information.

The MPCA is also authorized by Minnesota Statutes, Section 115B.17, subdivision 4(a) (1990) to examine and copy any books, papers, records, memoranda or data of any person who has a duty to provide information under subd. 3.


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In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the state's laws on water and air pollution. Minnesota Statutes, Section 115.03, subdivision 1(h) (1990), Minnesota Statutes, Section 116.07, subdivision 9(c) (1990).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within thirty (30) days from the date of this Requirement To Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the state of Minnesota to compel disclosure.

Date: FEB 11 1991

MINNESOTA POLLUTION CONTROL AGENCY



Gary A. Pilford
Chief, Site Response Section
Ground Water and Solid Waste Division

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump
and
Request for Production of Documents

Part I: ABOUT THE BUSINESS

1. Identify the full legal name of the business.
2. Is the business incorporated?

NOTE: If the answer is YES, answer Questions 3-9 of Part I; If the answer is NO, proceed to Question 9, and answer Questions 9-14 of Part I.

Questions To Be Answered By Corporations:

3. Identify the state or states in which the business is incorporated.
4. When was the business incorporated in each of the above state(s)?
5. Identify the name and address of the corporation's agent for service of process who is registered with the Minnesota Secretary of State.
6. Is the business a public or closely held corporation?
7. Identify the names, current addresses and telephone numbers of all directors and officers of the corporation.
8. If the corporation is closely held, identify the names and current addresses and telephone numbers of all shareholders of the corporation.

Questions To Be Answered By Non-Incorporated Business Entities:

9. Is the business either a legal partnership or sole proprietorship? Please specify.
10. If the answer to Question 9 is LEGAL PARTNERSHIP, is the partnership a general or limited partnership?
11. If the business is not a legal partnership or sole proprietorship, please explain the legal organization of the business (for example, joint venture, syndication).
12. How many years has the business been in operation?
13. Identify the names and current addresses and telephone numbers of all current owner(s) of the business.
14. Identify (a) any changes in owners or partners, specifying past owners or partners and their current addresses and telephone numbers; (b) past and current name(s) of the business; and (c) any changes in the location of the business.

Questions To Be Answered By All Businesses:

15. What is the Standard Industrial classifications (SIC) Code number of the business?
16. Identify the products or services which are produced or offered by the business.
17. Describe the activities and processes used by the business production of its product (i.e., machinery electroplating).
18. Does the business subcontract to any other businesses?
19. If the answer to Question 18 is YES, identify the names and current addresses and telephone numbers of the people with whom the business subcontracts.

Part II: ABOUT THE ENVIRONMENTAL PRACTICES OF THE BUSINESS

1. Identify the department of the business which is responsible for compliance with environmental requirements.
2. Identify all employees who are responsible for implementing the environmental program of the company (include current employee telephone numbers, length of time of job, and current work status with company).
3. Identify all environmental permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
4. Are there any environmental enforcement actions of any kind pending which involve the company?
5. Have there been any environmental enforcement action involving the business since January 1, 1980?
6. If the answer to either Question 4 or 5 is YES, identify the type of enforcement action, the governmental agency involved, and the status or resolution of the matter.
7. Identify all waste which is currently and/or has been generated by the business. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.
8. Identify all waste including materials used or sent for recycling (such as used oil, used solvents) which was generated by the business between 1956 and 1972. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.

-3-

9. With respect to each solid or hazardous wastes which was generated by the business and disposed of at the Pig's Eye Dump/Fish Hatcheries Dump, to the best of your ability please state the following:
- The chemical composition of each waste disposed and the procedure utilized in making the determination;
 - List wastes that were mixed together and indicate how they were stored;
 - The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year).
10. What was the procedure for cleaning out tank cars? What materials were used and how were the wastes disposed?
11. Did your business have clean out tracks? If yes, what were the wastes produced and how were they disposed?
12. Did your business use any of the following materials:

degreasers
 mineral spirits
 engine cleaners
 paint thinners
 enamels
 lacquers
 primers
 epoxies
 degreasing solvents
 solvents, such as:

acetone
 toluene
 ketones
 immersion cleaner
 petroleum distillates

methylene chloride
 stoddard solvents
 petroleum naphtha
 freon

oils, such as:

lubricating oil
 gear oil
 transmission fluids
 hydraulic oil

grease
 transformer fluid
 cutting oil

hydraulic fluid containing PCBs

oil containing or mixed with solvents, if so please indicate the type of solvents

paint removers, specify type

paints containing:

lead
 chromium
 cadmium
 barium
 nickel

mercury
 arsenic
 selenium
 silver

13. Did your business generate the following wastes:

methylethyl ketone	ammonium hydroxide
chlorobenzene	hydrobromic acid
ethyl benzene	hydrochloric acid
toluene	hydrofluoric acid
benzene	nitric acid
ethylene dichloride	phosphoric acid
paint sludges	potassium hydroxide
tank car still bottoms	sulfuric acid
treated lumber	chromic acid
railroad ties	lube oil
fuel oil	

14. If no waste was ever disposed of at Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.

15. If your business has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known, and (c) the date(s) the service was utilized.

16. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.

17. Is the business responsible for the waste generated by its subcontractors?

18. If the answer to Question 14 is YES, identify how the business disposes of its subcontractor's waste. Include an explanation of factors (a) through (f) in Question 7.

19. Identify the manner in which any waste generated by the business (or its subcontractors) was transported. Also list all waste haulers that the company currently uses and has used in the past and provide the dates of use.

20. If the business currently uses or has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known.

21. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.

22. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.

23. Identify all documents reviewed in the preparation of this document (i.e., manifests, letters, reports, etc.) and either (a) propose all such documents for inspection and copying, or (b) provide copies of such documents.
24. Identify each liability insurance policy held by you or the business during only the period when waste generated by the business was disposed at Pig's Eye Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement To Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of the source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that related to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

Attachment 2
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. SOO LINE RAILROAD. "Soo Line Railroad" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Soo Line Railroad."

2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the Chicago, Milwaukee, St. Paul and Pacific Railroad Company.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officer, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignment, personnel records, record books, manifests, logs, scrapbooks, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115B.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch landfill, storage container, motor vehicle, rolling stock, or aircraft;

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(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substances," as defined in Minnesota Statutes, Section 115B.02, subdivision 8 (1990), means:

(a) Any commercial chemical designated pursuant to the federal Water Pollution Control Act, under United States Code, title 33, section 1321(b)(2)(A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United State Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas a natural gas, not does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "Hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subdivision 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water

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resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Waste Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailing Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of empties pesticide containers or residues from a pesticide as defined in section 18A.21, subdivision 25.

Soo Line Railroad Company



Soo Line B 02102
Box 530
Minneapolis, Minnesota 55440

GLENN OLANDER - QUAMME
Corporate Attorney
(612) 347-8008
Telecopy (612) 347-8203

March 28, 1991

Ms. Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-3898

Re: Requirement to Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

Dear Ms. O'Connell:

Please find enclosed an original and two copies of Soo Line Railroad Company's Response to Requirement to Provide Information in the above-referenced matter. This is a Response to the Requirement dated February 11, 1991.

Should you have any questions, please feel free to contact me.

Very truly yours,

GOQ/gah
GOQ.COR

Enclosures

RECEIVED

APR 01 91

MPCA, Ground Water
& Solid Waste Div

SOO LINE RAILROAD COMPANY
RESPONSE TO REQUIREMENT
TO PROVIDE INFORMATION
(Pig's Eye Dump/Fish Hatcheries Dump)

This is the response of Soo Line Railroad Company ("Soo") to the Minnesota Pollution Control Agency ("MPCA") Requirement to Provide Information re Pig's Eye Dump/Fish Hatcheries Dump dated February 11, 1991 (the "RPI").

GENERAL COMMENTS AND OBJECTIONS:

a. Soo interprets the RPI as requesting information solely about Chicago, Milwaukee, St. Paul and Pacific Railroad Company ("Milwaukee Road") (see RPI Attachment 2 at paragraph 3). Soo will limit its responses accordingly.

b. The RPI is divided into two parts. Part I consists of 19 questions, Part II of 24 questions. Pursuant to a February 13, 1991 telephone conversation with MPCA's Cathy O'Connell, confirmed by a March 26, 1991 telephone conversation with MPCA's Cynthia Gaertner, it is Soo's understanding that Soo is only required to answer the following questions: Part II, questions 8-16.

c. In 1985, Soo acquired certain assets and facilities of Milwaukee Road. Inasmuch as those assets and facilities were not owned or operated by Soo during the relevant time period (i.e., 1956 to 1972; the "Relevant Period"), the waste disposal practices at those facilities were not the actions of Soo. However, Soo has certain information concerning Milwaukee Road facilities that were acquired by Soo, and Soo will provide information responsive to the RFI with respect to such of those facilities as are identified in the response to Part II, question 8. Soo is not providing information about Milwaukee Road facilities that were not acquired by Soo.

d. Soo denies that it is liable for the actions or omissions of Milwaukee Road. Alternatively, Soo asserts that any liability it might otherwise have with respect to such actions and omissions is barred by the various orders and decrees in Milwaukee Road's bankruptcy reorganization proceeding.

e. To the best knowledge of Soo, CMC Heartland Partners and/or Chicago Milwaukee Corporation (collectively, "CMC") are the successors in interest to Milwaukee Road. CMC's mailing address is P. O. Box 6205, Chicago, IL 60680-6205, and its delivery address is 547 West Jackson Boulevard, Suite 1510, Chicago, IL 60606.

f. Soo objects to the requirement that it provide affidavits in certain forms attesting to various facts (see RPI Attachment 1 at paragraph 1), on the ground that such affidavits are not required by the Minnesota Environmental Response and Liability Act ("MERLA").

g. Soo objects to paragraph 6 of attachment 1 to the RPI, on the ground that the scope of the inquiry described in said paragraph exceeds the scope of permissible inquiry under MERLA.

SPECIFIC RESPONSES:

Part II

8. Identify all waste including materials used or sent for recycling (such as used oil, used solvents) which was generated by the business between 1956 and 1972. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.

RESPONSE: To the extent this question seeks information for the time periods before and after the Relevant Period, Soo objects to this inquiry on the ground that the information is irrelevant to the subject matter of the RPI and exceeds the sphere of permissible inquiry under MERLA and the Comprehensive Environmental Response, Compensation and Liability Act. With respect to the Relevant Period, Soo would note that Milwaukee Road was an interstate railroad, with facilities located in many locations inside and outside of Minnesota. Soo objects to this question on the ground that it is unduly burdensome and seeks irrelevant information to the extent it applies to facilities and/or practices distant from the Pig's Eye Dump/Fish Hatcheries Dump (the "Site"). Soo further objects to this inquiry on the ground that it is unduly burdensome to the extent it applies to Milwaukee Road facilities that were not acquired by Soo. Soo will therefore limit its response to the five Milwaukee Road facilities that were subsequently acquired by Soo and that are or were located in Ramsey County, Minnesota, within a reasonable distance of the Site; to wit: St. Paul Yard (formerly known as Pig's Eye Yard), Dunn Yard, Ford Yard, Chestnut Street Yard, and Warner Road Yard (collectively, the "Facilities"). The general locations of the Facilities are shown on the attached map. The operations conducted at the Facilities during the Relevant Period are summarized on the attached Table 1. Without waiving its objections, Soo responds to the subparts of this question as follows:

- (a) St. Paul Yard: Office trash consisting of paper and cardboard waste; cereal grains and wood, cardboard, and paper from railcar cleaning; wooden pallets; journal bearing pads; brake shoes; lubricating oil; batteries; scrap metal; filters; and cleaning rags. To the best of Soo's information, journal bearing pads, brake shoes, lubricating oils, batteries, scrap metal, and filters were routinely sent to Milwaukee Road's Milwaukee Shops Facility in Milwaukee, Wisconsin, for recycling or reclamation.

Dunn Yard, Ford Yard, and Warner Road Yard: Office trash consisting of paper and cardboard wastes; possibly some spilled or spoiled fruit and vegetables at Warner Road Yard.

Chestnut Street Yard: Office trash consisting of paper and cardboard wastes; cereal grains from railcar cleaning.

- (b) Wastes would have been generated by: office and freight storage and handling activities supporting railroad switching and interchange operations; railcar maintenance; railcar cleaning; and light locomotive maintenance. See Table 1 for a summary of the activities conducted at each of the Facilities. The wastes which were sent to the Milwaukee Shops for recycling or reclamation were produced as a part of locomotive and railcar maintenance activities.
- (c) Not known.
- (d) Not known.
- (e) Based on available information, solid wastes from railcar cleaning at St. Paul Yard were disposed of primarily at Pig's Eye Landfill. Wastes sent for recycling or reclamation were sent to the Milwaukee Shops facility. Disposal and recycling locations for the remaining wastes are not known.
- (f) The Relevant Period.

9. With respect to each solid or hazardous wastes [sic] which was generated by the business and disposed of at the Pig's Eye Dump/Fish Hatcheries Dump, to the best of your ability please state the following:

- (a) The chemical composition of each waste disposed and the procedure utilized in making the determination;
- (b) List wastes that were mixed together and indicate how they were stored;
- (c) The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year).

RESPONSE: See objections in response to Part II, question 8. Without waiving its objections, Soo states as follows:

- (a) There is no information to suggest that solid or hazardous wastes generated at the Facilities were disposed of at the Fish Hatcheries Dump. With the exception of waste from railcar cleaning at St. Paul Yard, there is no information to suggest that solid or hazardous wastes generated at the Facilities were disposed of at the Pig's Eye Landfill. The wastes from the railcar cleaning at St. Paul Yard would have been primarily grain products, paper, cardboard, and wood.
- (b) See response to Part II, question 8, subparagraph (a), above.
- (c) Not known.

10. What was the procedure for cleaning out tank cars? What materials were used and how were the wastes disposed?

RESPONSE: See objections in response to Part II, question 8. Without waiving its objections, Soo states that, to the best of its knowledge, no tank cars were cleaned at the Facilities during the Relevant Period.

11. Did your business have clean out tracks? If yes, what were the wastes produced and how were they disposed?

RESPONSE: See objections in response to Part II, question 8. For the reasons set forth in General Comments and Objections c and d, Soo objects to the words "your business" and will respond as if the question referred to "the business." Without waiving its objections, Soo states as follows: Clean out tracks were operated at St. Paul Yard and Chestnut Street Yard for cereal grain railcars only. The waste generated by those clean out tracks would include cereal grain residues and wood, cardboard, and paper

materials used in connection with rail transport of cereal grains.

12. Did your business use any of the following materials:

degreasers
mineral spirits
engine cleaners
paint thinners
enamels
lacquers
primers
epoxys
degreasing solvents
solvents, such as:

acetone	methylene chloride
toluene	stoddard solvents
ketones	petroleum naphtha
immersion cleaner	freon
petroleum distillates	

oils, such as:

lubricating oil	grease
gear oil	transformer fluid
transmission fluids	cutting oil
hydraulic oil	
hydraulic fluid containing PCBs	

oil containing or mixed with solvents, if so please indicate the type of solvents

paint removers, specify type

paints containing:

lead	mercury
chromium	arsenic
cadmium	selenium
barium	silver
nickel	

RESPONSE: See objections in response to Part II, questions 8 and 11. Without waiving its objections, Soo states as follows: To the best of Soo's knowledge, and except as set forth below, the listed materials were not used at the Facilities during the Relevant Period. Mineral spirits, stoddard solvents, lubricating oils, gear oils, transmissions fluids, and hydraulic oils would likely have been used during the Relevant Period at St. Paul Yard. It is also possible that small amounts of stencilling paint, which may have contained lead, may have been used or stored at the

Facilities from time to time during the Relevant Period.

13. Did your business generate the following wastes:

methyl ethyl ketone	ammonium hydroxide
chlorobenzene	hydrobromic acid
ethyl benzene	hydrochloric acid
toluene	hydrofluoric acid
benzene	nitric acid
ethylene dichloride	phosphoric acid
paint sludges	potassium hydroxide
tank car still bottoms	sulfuric acid
treated lumber	chromic acid
railroad ties	lube oil
fuel oil	

RESPONSE: See objections in response to Part II, questions 8 and 11. Without waiving its objections, Soo states as follows: To the best of Soo's knowledge, and except as set forth below, the listed wastes were not generated at the Facilities during the Relevant Period. It is possible that some waste railroad ties may have been generated at the Facilities from time to time during the Relevant Period. Waste lube oil would have been generated at St. Paul Yard during the Relevant Period; as noted above, such oil would generally have been recycled.

14. If no waste was ever disposed of at Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.

RESPONSE: See objections in response to Part II, question 8. Without waiving its objections, Soo states as follows: Except for clean out track waste from St. Paul Yard, disposal sites are not known. Off-site disposal would typically have been handled by independent waste haulers.

15. If your business has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known, and (c) the date(s) the service was utilized.

RESPONSE: See objections in response to Part II, questions 8 and 11. Without waiving its objections, Soo states as follows: To the best of Soo's knowledge, waste generated at the Facilities during the Relevant Period would

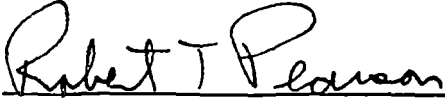
have been transported by independent waste haulers. Soo has not been able to identify such waste haulers. Soo does not know the disposal sites used by the independent waste haulers.

16. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sties or facilities where the business disposed of its waste.

RESPONSE: See response to Part II, question 14.

Dated: March 28, 1991


SOO LINE RAILROAD COMPANY

By: 
Robert T. Pearson

Its: Assistant Chief Engineer

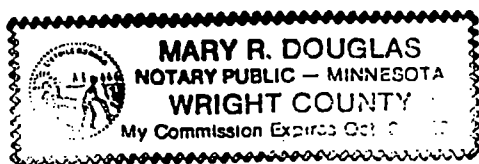
STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Robert T. Pearson, being duly sworn, states that he is the Assistant Chief Engineer of Soo Line Railroad Company ("Soo"); that Soo has made a reasonable effort to locate and identify records relevant to the Requirement to Provide Information re Pig's Eye Dump/Fish Hatcheries Dump dated February 11, 1991 (the "RPI"); and that Soo has made a reasonable effort to identify and contact present and former employees who were identified by Soo as being likely to have knowledge relevant to the RPI.


Robert T. Pearson

Sworn to and signed before
me on March 28, 1991.


Notary Public



MAR 25 '91 09:42 RE LC-ST. PAUL P. 13/13 02111

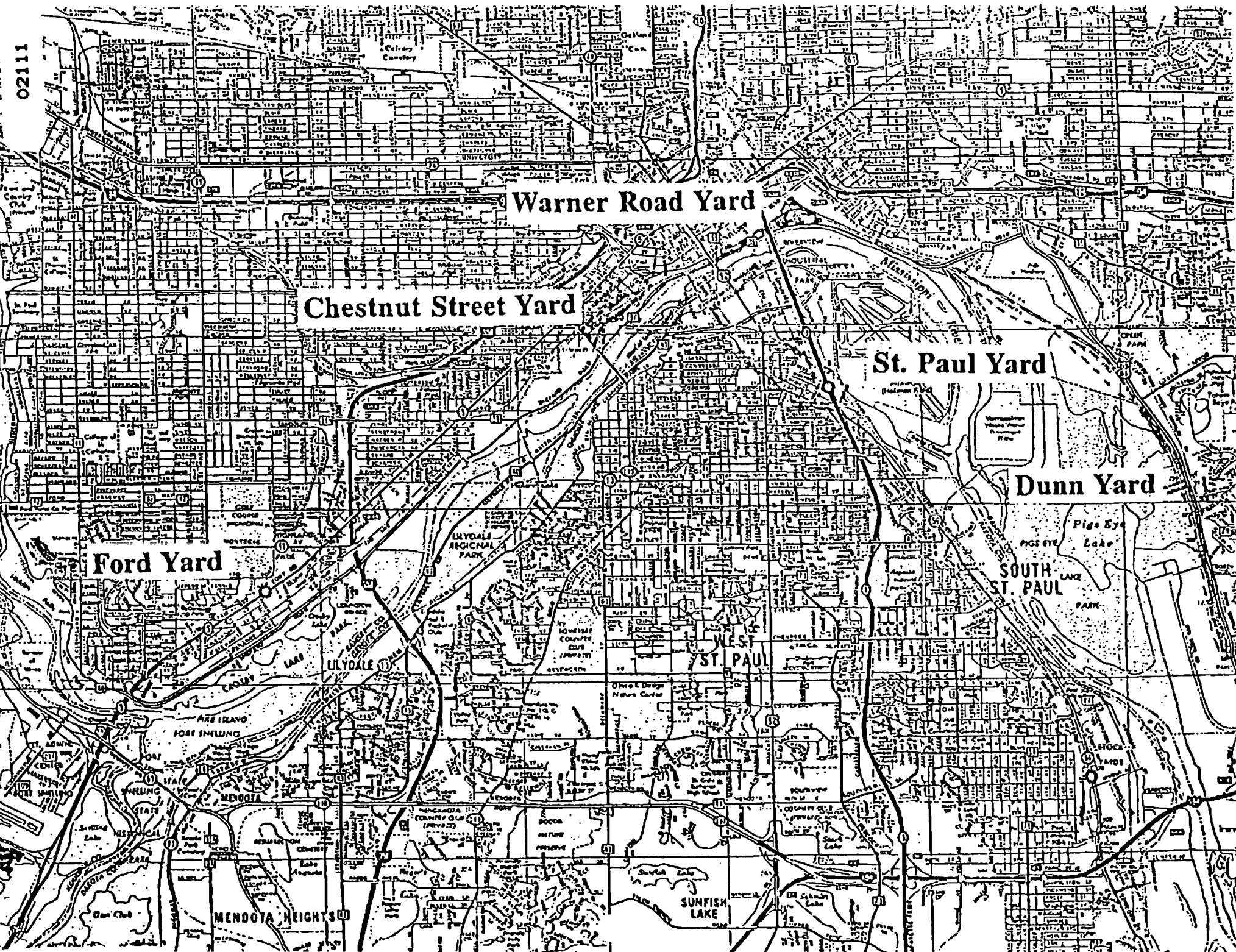


TABLE 1

02112

LOCATION NAME	ADDRESS	ACTIVITIES
ST. PAUL YARD	Land East of Childs Road West of the Burlington Northern Right-Of-Way, South of Warner Road and North of Pigs Eye Lake Park.	General Railroad Freight Operations, Hump Yard, Railroad Car Loading and Unloading. Railroad Support Operations, Headquarters for Track Gang and Bridge and Building Crew, Light Locomotive and Railcar Maintenance, Locomotive Fueling, Railcar Cleaning.
DUNN YARD	Land West of Highway 61, North of Fish Creek, South of Highwood Park and East of Pig's Eye Lake.	Railroad Receiving Yard, Railroad Switching and Trackage, Interlocker Building, No Locomotive or Rail Car Maintenance or Locomotive Fueling.
FORD YARD	Land South and East of Ford Motor Company Plant West of South Cleveland Avenue, and North of Hampshire Avenue.	Railroad Yard Office Building, Freight Loading and Unloading. No Locomotive or Rail Car Maintenance or Locomotive Fueling.

LOCATION NAME	ADDRESS	ACTIVITIES
CHESTNUT STREET YARD	Land Bounded by Chestnut Street on the North, Smith Avenue on the South. Shepard Road on the East and Fort Road on the West	Railroad Track Switching, Cereal Grain Unloading, Interlocker Building. No Locomotive or Rail Car Maintenance or Locomotive Fueling.
WARNER ROAD YARD	Land Bounded by Warner Road on the South, Robert Street on the Southwest, Kellogg Boulevard on the Northwest and Burlington Northern Railroad Tracks on the North and East.	Railroad Passenger Equipment Maintenance, Interchange Operations, Milwaukee Motor Transportation Company in Charge of Loading and Distribution. Light Railcar Maintenance, Intermodal Facility Operations after 1958. No Locomotive Fueling.

FRUIT AND VEGETABLE
FACILITIES AND
OPERATIONS.

Soo Line Railroad Company



Soo Line Building
Box 530
Minneapolis, Minnesota 55440

GLENN OLANDER - QUAMME
Corporate Attorney
(612) 347-8008
Telecopy (612) 347-8203

March 12, 1991

Via Roadrunner Transportation, Inc.

Ms. Cathy O'Connell
Project Manager
Superfund Unit
Site Response Section
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155-3898

RECEIVED

MAR 12 91

MPCA, Ground Water
& Solid Waste Div

Re: Requirement to Provide Information
Pig's Eye Dump/Fish Hatcheries Dump

Dear Ms. O'Connell:

Please find enclosed an original and two copies of Soo Line Railroad Company's Response to Requirement to Provide Information in the above-referenced matter.

Should you have any questions, please feel free to contact me.

Very truly yours,

GOQ/gah
GOQ.COR

Enclosures

MAR 12 91

SOO LINE RAILROAD COMPANY
RESPONSE TO REQUIREMENT
TO PROVIDE INFORMATION
(Pig's Eye Dump/Fish Hatcheries Dump)

MPCA, Ground Water
& Solid Waste Div

This is the response of Soo Line Railroad Company ("Soo") to the Minnesota Pollution Control Agency ("MPCA") Requirement to Provide Information re Pig's Eye Dump/Fish Hatcheries Dump dated January 10, 1991 (the "RPI").

PRELIMINARY COMMENTS AND OBJECTIONS:

a. Soo interprets the RPI as requesting information solely about Soo and its employees and agents (see RPI Attachment 2 at paragraph 1). Soo will limit its responses accordingly.

b. In 1985, Soo acquired certain facilities of Chicago, Milwaukee, St. Paul and Pacific Railroad Company (the "Milwaukee Road"). Inasmuch as the Milwaukee Road facilities were not part of Soo during the relevant time period (i.e., 1956 to 1972; the "Relevant Period"), the waste disposal practices at those facilities were not the actions of Soo, hence do not fall within the scope of the RPI. Accordingly, Soo is not providing any information in this Response with respect to the Milwaukee Road facilities. Soo has subsequently received a second RPI specifically requesting data regarding the Milwaukee Road, and Soo will respond to that RPI in due course.

c. Soo objects to the requirement that it provide affidavits in certain forms attesting to various facts (see RPI Attachment 1 at paragraph 1), on the ground that such affidavits are not required by the Minnesota Environmental Response and Liability Act ("MERLA").

d. Soo objects to paragraph 6 of attachment 1 to the RPI, on the ground that the scope of the inquiry described in said paragraph exceeds the scope of permissible inquiry under MERLA.

SPECIFIC RESPONSES:

Part I:

1. Identify the full legal name of the business.

RESPONSE: Soo Line Railroad Company.

2. Is the business incorporated?

RESPONSE: Yes.

3. Identify the state or states in which the business is incorporated.

RESPONSE: Minnesota.

4. When was the business incorporated in each of the above state(s)?

RESPONSE: 1949.

5. Identify the name and address of the corporation's agent for service of process who is registered with the Minnesota Secretary of State.

RESPONSE: None.

6. Is the business a public or closely held corporation?

RESPONSE: Closely held.

7. Identify the names, current addresses and telephone numbers of all directors and officers of the corporation.

RESPONSE: Soo objects to this inquiry on the ground that the information is irrelevant to the subject matter of the RPI and exceeds the sphere of permissible inquiry under MERLA and the Comprehensive Environmental Response, Compensation and Liability Act.

8. If the corporation is closely held, identify the names and current addresses and telephone numbers of all shareholders of the corporation.

RESPONSE: See response to Part I, question 7.

9. Is the business either a legal partnership or sole proprietorship? Please specify.

RESPONSE: Not applicable.

10. In the answer to Question 9 is LEGAL PARTNERSHIP, is the partnership a general or limited partnership?

RESPONSE: Not applicable.

11. If the business is not a legal partnership or sole proprietorship, please explain the legal organization of the business (for example, joint venture, syndication).

RESPONSE: Not applicable.

12. How many years has the business been in operation?

RESPONSE: Not applicable.

13. Identify the names and current addresses and telephone numbers of all current owner(s) of the business.

RESPONSE: Not applicable.

14. Identify (a) any changes in owners or partners, specifying past owners or partners and their current addresses and telephone numbers; (b) past and current name(s) of the business; and (c) any changes in the location of the business.

RESPONSE: Not applicable.

15. What is the Standard Industrial classifications (SIC) Code number of the business?

RESPONSE: 40.

16. Identify the products or services which are produced or offered by the business.

RESPONSE: Rail transportation of freight.

17. Describe the activities and processes used by the business production of its product (i.e., machinery electroplating).

RESPONSE: Not applicable; Soo does not produce a product.

18. Does the business subcontract to any other businesses?

RESPONSE: See response to Part I, question 7.

19. If the answer to question 18 is YES, identify the names and current addresses and telephone numbers of the people with whom the business subcontracts.

RESPONSE: See response to Part I, question 7.

Part II

1. Identify the department of the business which is responsible for compliance with environmental requirements.

RESPONSE: See response to Part I, question 7.
Without waiving its objections, Soo states that the Engineering Department currently has primary responsibility, assisted by the Law Department.

2. Identify all employees who are responsible for implementing the environmental program of the company

(include current employee telephone numbers, length of time of job, and current work status with company).

RESPONSE: See Response to Part I, question 7. Without waiving its objections, Soo states that its Environmental Control Engineer is Robert J. Kale and that its environmental attorney is Glenn Olander-Quamme.

3. Identify all environmental permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.

RESPONSE: See response to Part I, question 7.

4. Are there any environmental enforcement actions of any kind pending which involve the company?

RESPONSE: See response to Part I, question 7.

5. Have there been any environmental enforcement action involving the business since January 1, 1980?

RESPONSE: See response to Part I, question 7.

6. If the answer to either Question 4 or 5 is YES, identify the type of enforcement action, the governmental agency involved, and the status or resolution of the matter.

RESPONSE: See response to Part I, question 7.

7. Identify all waste which is currently and/or has been generated by the business. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.

RESPONSE: To the extent this inquiry seeks information for the time periods before and after the Relevant Period, see response to Part I, question 7. With respect to the Relevant Period, Soo was an interstate railroad, with facilities located in many locations inside and outside of Minnesota. Soo objects to this inquiry on the ground that it is unduly burdensome and seeks irrelevant information to the extent it applies to facilities and/or practices distant from the Pig's Eye Dump/Fish Hatcheries Dump (the "Site"). Soo will therefore limit its response to the five Soo

facilities that were located in Ramsey County, Minnesota, within a reasonable distance of the Site; to wit: Seventh Street Yard, Jessamine Street Yard, North St. Paul, New Brighton, and Cardigan Junction (collectively, the "Facilities"). The locations of the Facilities are shown on the attached map. The operations conducted at the Facilities during the Relevant Period are summarized on the attached Table 1. Without waiving its objections, Soo responds to the subparts of this question as follows:

- (a) Office waste paper and cardboard packing material.
- (b) These wastes were incidental to office, freight storage, and freight handling activities.
- (c) Not known.
- (d) Not known.
- (e) Not known. Off-site disposal would have been handled by independent waste haulers.
- (f) The Relevant Period.

8. What was the procedure for cleaning out tank cars? What materials were used and how were the wastes disposed?

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states that, to the best of its knowledge, no tank cars were cleaned at the Facilities during the Relevant Period.

9. Did your company have clean out tracks? If yes, what were the wastes produced and how were they disposed?

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states that, to the best of its knowledge, there were no clean out tracks at the Facilities during the Relevant Period.

10. Did your company use any of the following materials:

degreasers
mineral spirits
engine cleaners
paint thinners
enamels

lacquers
 primers
 epoxys
 degreasing solvents
 solvents, such as:

acetone	methylene chloride
toluene	stoddard solvents
ketones	petroleum naphtha
immersion cleaner	freon
petroleum distillates	

oils, such as:

lubricating oil	grease
gear oil	transformer fluid
transmission fluids	cutting oil
hydraulic oil	
hydraulic fluid containing PCBs	

oil containing or mixed with solvents, if so please indicate the type of solvents

paint removers, specify type

paints containing:

lead	mercury
chromium	arsenic
cadmium	selenium
barium	silver
nickel	

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states as follows: To the best of Soo's knowledge, and except as set forth below, the listed materials were not used at the Facilities during the Relevant Period. It is possible that small amounts of lubricating oil and grease may have been used or stored at the Facilities from time to time during the Relevant Period. It is also possible that small amounts of stencilling paint, which may have contained lead, may have been used or stored at the Facilities from time to time during the Relevant Period.

11. Did your company generate the following wastes:

methyl ethyl ketone	ammonium hydroxide
chlorobenzene	hydrobromic acid
ethyl benzene	hydrochloric acid
toluene	hydrofluoric acid
benzene	nitric acid
ethylene dichloride	phosphoric acid
paint sludges	potassium hydroxide

tank car still bottoms
treated lumber
railroad ties
fuel oil

sulfuric acid
chromic acid
lube oil

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states as follows: To the best of Soo's knowledge, and except as set forth below, the listed wastes were not generated at the Facilities during the Relevant Period. It is possible that some waste railroad ties may have been generated at the Facilities from time to time during the Relevant Period. It is also possible that small quantities of waste lube oil (i.e., journal box lubricant) may have been generated at the facilities from time to time during the Relevant Period.

12. With respect to each solid or hazardous wastes which was generated by Soo Line Railroad and disposed of at the Pig's Eye Dump/Fish Hatcheries Dump, to the best of your ability please state the following:

- (a) The chemical composition of each waste disposed and the procedure utilized in making the determination;
- (b) List wastes that were mixed together and indicate how they were stored;
- (c) The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year).

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states that it has no information that any of its waste was disposed of at the site.

13. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states as follows: Not known. Off-site disposal would have been handled by independent waste haulers.

14. Is the business responsible for the waste generated by its subcontractors?

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states that it has no knowledge of any subcontractors at the Facilities during the Relevant Period. As a general rule, when Soo uses a subcontractor, the subcontractor is responsible for its own waste.

15. If the answer to Question 14 is YES, identify how the business disposes of its subcontractor's waste. Include an explanation of factor (a) through (f) in Question 7.

RESPONSE: See response to Part II, question 14.

16. Identify the manner in which any waste generated by the business (or its subcontractors) was transported. Also list all waste haulers that the company currently uses and has used in the past and provide the dates of use.

RESPONSE: See objections in response to Part II, question 7. Without waiving its objections, Soo states as follows: To the best of Soo's knowledge, waste generated at the Facilities during the Relevant Period would have been transported by independent waste haulers. Soo has not been able to identify such waste haulers except that Atlas Disposal Service provided waste hauling service at Jessamine Street Yard beginning in December of 1972.

17. If the business currently uses or has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known.

RESPONSE: See response to Part II, question 16. Without waiving its objections, Soo states as follows: Soo does not know the disposal sites used by the independent waste haulers. On the basis of Soo's general knowledge of waste hauling practices, it is highly unlikely that waste from New Brighton, North St. Paul, and Cardigan Junction would have been disposed of at the Site.

18. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.

RESPONSE: See response to Part I, question 7. Soo further objects to this inquiry on the ground that the requested information is privileged under the attorney-client privilege and the work product doctrine. Without waiving its objections, Soo states that the following persons were consulted: E. G. Tyckoson, Donald I. Kjellman, Robert J. Kale, and Glenn Olander-Quamme.

19. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.

RESPONSE: See objections in response to Part II, question 18. Without waiving its objections, Soo states that, other than Donald I. Kjellman (who was unavailable at the time this Response was finalized), it does not know of any individual who could provide additional information.

20. Identify all documents reviewed in the preparation of this document (i.e., manifests, letters, reports, etc.) and either (a) propose all such documents for inspection and copying, or (b) provide copies of such documents.

RESPONSE: See objections in response to Part II, question 18. Without waiving its objections, Soo states that it reviewed the following documents:

Seventh Street Yard: Soo Line
Railroad Station Map, St. Paul, MN
(1959)

Cardigan Junction: Aerial
photograph dated May 10,
1957

Jessamine Street Yard: Aerial
photographs dated October 17, 1957,
and May 8, 1970

New Brighton: Soo Line
Railroad map (undated)

North St. Paul: Soo Line
Railroad map (May 13,
1919)

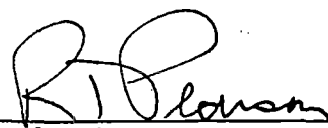
The foregoing documents will be made available to MPCA for inspection and copying, at MPCA's expense, at Soo's offices in the Soo Line Building, Minneapolis, MN, during Soo's normal business hours. If MPCA wishes to inspect and/or copy such documents, it should make appropriate arrangements with Glenn Olander-Quamme, Corporate Attorney, Box 530, Minneapolis, MN 55440, telephone (612) 347-8008.

21. Identify each liability insurance policy held by you or the business during only the period when waste generated by the business was disposed at Pig's Eye Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

RESPONSE: See response to Part I, question 7. Without waiving its objections, Soo states that it has no information to suggest that any Soo waste was disposed of at the Site.

Dated: March 11, 1991

SOO LINE RAILROAD COMPANY

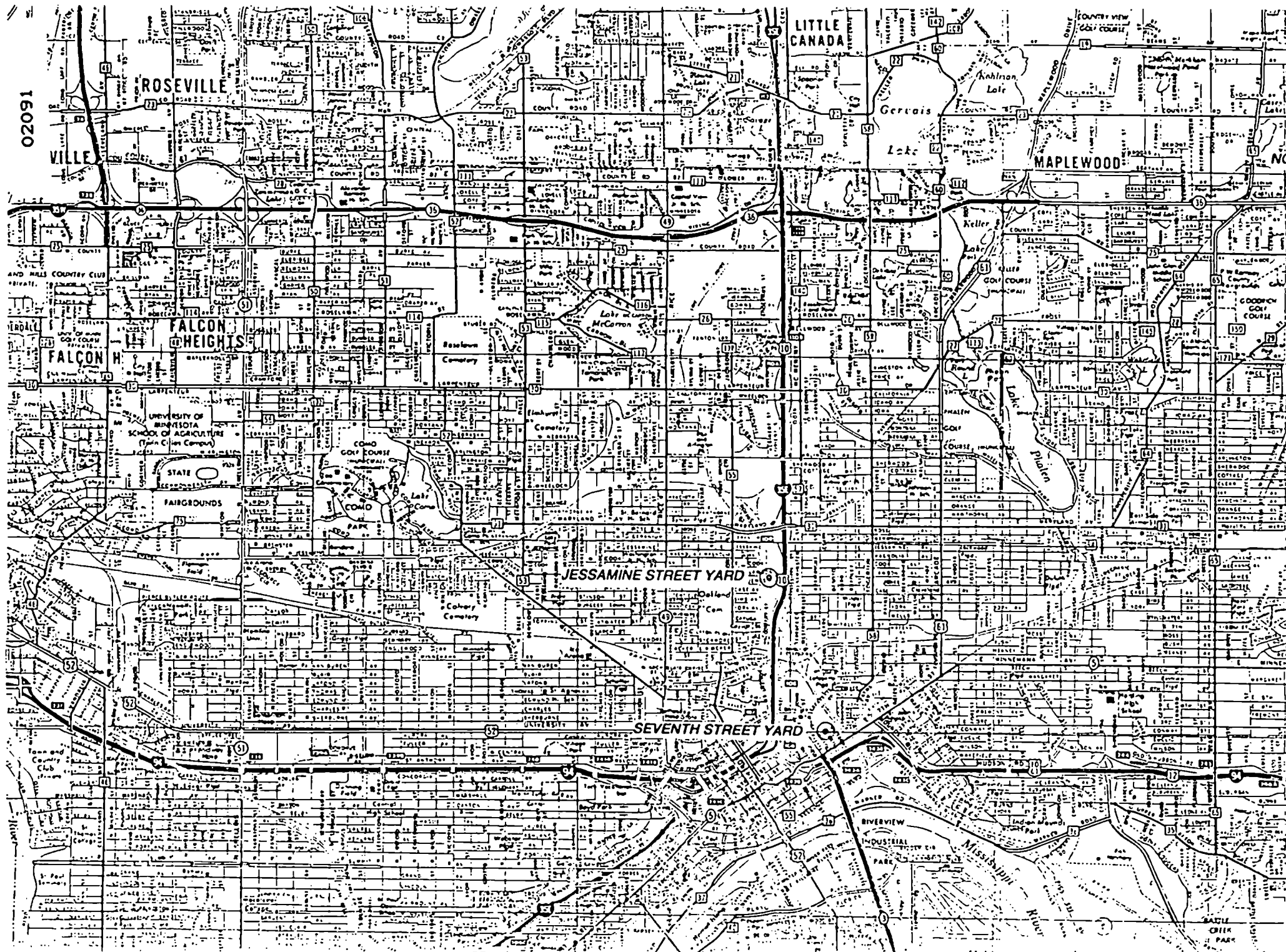
By: 
Robert T. Pearson

Its: Asst. Chief Engineer

LOCATION NAME	ADDRESS	ACTIVITIES
SEVENTH STREET YARD	Land bounded roughly by East 7th Street Willius Street, LaFayette Avenue and Kittison Street in St. Paul, MN.	General Railroad Freight Operations, including land occupied by a Freight House. Railroad Car loading and unloading. Railroad support operations, included a yard building and a small track car garage. No locomotive or rail car maintenance or locomotive fueling.
CARDIGAN JUNCTION	Land westerly of Rice Street at Interstate Highway 694 in Shoreview, MN.	Railroad Depot, Railroad switching trackage. No locomotive or rail car maintenance or locomotive fuelling.
JESSAMINE STREET YARD	Land easterly of Jackson Street, Southerly of Marland Avenue, westerly of Interstate Highway 35, and northerly of Sims St. in St. Paul, MN; (Leased from <i>IN PART</i> Burlington Northern Railroad)	Railroad switching operations, consisting of railroad tracks for car switching and interchange. Facilities include track scale, yard office and related out-buildings. No locomotive or rail car maintenance or locomotive fueling.
NEW BRIGHTON	Near 7th Avenue NW and 1st Street NW westerly of Interstate Highway 35W in New Brighton, MN	Railroad Interchange Operations, consisting of railroad tracks serving serving local industrial/commercial facilities adjacent to tracks. No locomotive or rail car maintenance or locomotive fueling.
NORTH ST. PAUL	Near State Highway 36 and Upper 46th Street in North St. Paul, MN	Railroad Interchange Operations, consisting of railroad tracks and depot building serving industrial/commercial facilities adjacent to tracks. No locomotive or rail car maintenance or locomotive fueling.

TABLE 1

02091



Canadian Pacific



Canadien Pacifique

02092

The message is complete if its trailer contains the following:

From: G OlanderQuamm

MERLIN ID: OLA0001

Transmission 54 37 13 22 contains 01 text pages, header, and trailer

RECEIVED

MAR 22 91

MPCA. Ground Water
& Solid Waste Div

Ms. Kathy O'Connell
MPCA
FAX 296-9787

March 22, 1991

via FAX

Re: Pig's Eye Dump RPI

Dear Kathy:

My client, Soo Line Railroad Company, is having a bit of difficulty assembling the last few items of data for our response to the RPI re former Milwaukee Road facilities. You previously granted my client until today to respond. In my confirming message I noted that a further extension might be needed. I now find that this is the case, and I am therefore requesting a further extension to March 28, 1991. No further extensions will be requested.

I will assume that the request is granted unless I hear from you to the contrary.

Sincerely,
Glenn Olander-Quamme
Corporate Attorney
Soo Line Railroad Company
612-347-8888
FAX 612-347-8283

02094

The message is complete if its header contains the following:

From: G OlanderQuamm

MERLIN ID: OLA0001

Transmission 54 37 13 22 contains 01 text pages, header, and trailer